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DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTINE ADAKAI,

Plaintiff,

v.

WAL-MART STORES, INC.; DOES 1 through X; and ROE ENTITIES 1 through X,

Defendants.

Case No.: 2:11-cv-00091-RCJ-LRL

**STIPULATION TO DISMISS WITH
PREJUDICE PLAINTIFF'S PUNITIVE
DAMAGES CLAIM AND TO REMAND
THIS MATTER TO NEVADA STATE
COURT**

COME NOW, Plaintiff CHRISTINE ADAKAI, by and through her attorney of record, DAVID A. TANNER, ESQ. of the TANNER LAW FIRM, and Defendant WAL-MART STORES, INC., by and through its attorney of record, JOHN P. JIMENEZ, ESQ. of PHILLIPS, SPALLAS & ANGSTADT LLC, and, stipulate that Plaintiff's claim for "punitive and/or exemplary damages," as claimed in Paragraphs 15 and 22 of Plaintiff's Complaint, on file herein, be dismissed with prejudice. Moreover, presuming that Plaintiff's punitive damages claims are dismissed with prejudice, this Court would lack jurisdiction over this matter pursuant to 28 U.S.C. §1332(a).

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1 Therefore, the parties hereby stipulate, and respectfully request that this Court order, that this
2 matter be remanded to Nevada state court.

3 **TANNER LAW FIRM**

4 DATED this 22nd day of February, 2011.

5 **TANNER LAW FIRM**

6 */s/ David A. Tanner*

7 David A. Tanner, Esq.
8 9555 S. Eastern Avenue, Suite #270
9 Las Vegas, Nevada 89123
10 *Attorney for Plaintiff*
11 *Christine Adakai*

12 **PHILLIPS, SPALLAS & ANGSTADT, LLC**

13 DATED this 22nd day of February, 2011.

14 **PHILIPS, SPALLAS & ANGSTADT LLC**

15 */s/ John P. Jimenez*

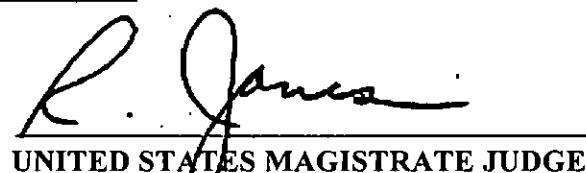
16 John P. Jimenez, Esq.
17 504 South Ninth Street
18 Las Vegas, NV 89101
19 *Attorneys for Defendant*
20 *Wal-Mart Stores, Inc.*

21 **ORDER**

22 **IT IS SO ORDERED**, as stipulated by the parties, that Plaintiff Christine Adakai's claims for
23 "punitive and/or exemplary damages," as claimed in Paragraphs 15 and 22 of Plaintiff's Complaint, on
24 file herein, are hereby **DISMISSED WITH PREJUDICE**.

25 Moreover, it is hereby ordered as stipulated by the parties, that this matter is **REMANDED** to
26 Nevada state court.

27 DATED on this 25th day of February, 2011.

28 
29 **UNITED STATES MAGISTRATE JUDGE**